

Immigration 101:

Top 10 Major Laws Affecting Immigration Today

1

The ***Immigration and Nationality Act of 1952***, also known as the McCarran Walter Act, set the framework for current immigration law, but maintained the quota system created by the Immigration Act of 1924 that gave preference to immigrants from countries that traditionally had settled in the United States. While it removed the bar on Asian immigrants, the vast majority of the new quotas were reserved for immigrants from Northern and Western Europe.

2

The ***Immigration and Nationality Act of 1965*** replaced the national origins quota system with a system that gave the majority of annual visas to family members of American citizens, regardless of nationality. This was a radical break from the previous system and the resulting wave of migration transformed the demographics of the United States, as increasing numbers of migrants arrived from the Western Hemisphere and Asia over the next 50 years.

3

The ***Refugee Act of 1980*** defined a refugee as a person outside of his or her country of nationality and unwilling to return due to “a well-founded fear of persecution based on race, religion, nationality, political opinion, or membership in a particular social group” and created the U.S. Refugee Admission Program. Since 1980, the US has admitted and resettled over 2 million refugees.

4

The ***Immigration Reform and Control Act of 1986*** focused on two pressing issues: a large undocumented population and border security. It provided amnesty for undocumented immigrants who entered the United States before 1982 and legalized certain agricultural workers, but also criminalized employers that knowingly hire illegal immigrants and required all employers to check the status of their new hires.

5

The ***Immigration Act of 1990*** set an overall cap on immigration at 675,000 visas per year, a significant increase from the previous limit of 530,000. It also created new categories for employment based immigration, with preference for higher skilled immigrants, and capped skilled non-immigrant workers (H-1B) at 65,000 per year. Finally, the diversity visa lottery was created to bring immigrants from countries with historically low rates of immigration to the United States.

6

The ***Illegal Immigration Reform & Immigrant Responsibility Act of 1996*** strengthened immigration enforcement, both at the border and the interior. If someone was found to be illegally present in the United States, that individual was barred from re-entry for three or ten years, depending on the length of illegal presence.

7

The ***Legal Immigration Family Equity (LIFE) Act of 2000*** tried to address long waiting times for family-sponsored immigrant visas by creating a new temporary visa category (the “V” Visa) to allow family members to visit while waiting, and opened a new avenue for green cards for those who were unauthorized and subject to the three and ten year bars, but had an approved green card petition by an employer or family member (called “Section 245(i)”). Section 245(i), originally passed in 1994, was temporarily reinstated and the cut-off date for eligibility was moved to April 20, 2001.

8

The ***USA Patriot Act of 2001*** tripled the number of border security personnel protecting the northern border, required the Justice Department and FBI to provide criminal history records for visa applicants, and broadened the scope of people inadmissible to the United States to include those with any association to terrorist groups.

9

The ***Enhanced Border Security and Visa Entry Reform Act (EBSVERA)*** mandated that all non-immigrant visa holders submit biometric data at ports of entry with a goal of fully integrating biometric databases across several agencies and departments.

10

The ***Homeland Security Act*** was passed in the wake of the 9/11 terrorist attacks. Congress merged various federal agencies, including the Immigration and Naturalization Service, into the Department of Homeland Security.